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Eliot F. Bloom

631-587-6307

P. 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

HERMÈS INTERNATIONAL, a corporation  
organized under the laws of France, HERMÈS  
INTERNATIONAL CORPORATION, a  
corporation organized under the laws of  
France, HERMÈS INTERNATIONAL  
CORPORATION FRANCE, a corporation  
organized under the laws of France, HERMÈS  
SELLIER, a corporation organized under the  
laws of France, HERMÈS OF PARIS, INC., a  
corporation organized under the laws of New  
York

Plaintiffs,

vs.

WALTER KIERNAN, individually,  
SERAFINA KIERNAN, individually,  
WALTER KIERNAN AND SERAFINA  
KIERNAN D/B/A  
WWW.IMPURSENATOR.COM D/B/A  
IMPURSENATOR HANDBAGS, DINESE  
KESTLY A/K/A DENISE KENSLEY,  
A/K/A DINESE KENSELY, individually and  
DINESE KESTLY A/K/A DENISE  
KENSLEY A/K/A DINESE KENSELY  
D/B/A WWW.ORIENTSOURCING.COM  
D/B/A SACKS IN THE CITY and  
PURSESPECTIVES, LLC various JOHN and  
JANE DOES 2-10 and XYZ COMPANIES 2-  
10 (UNIDENTIFIED),

Defendants.

CASE NO. CV-06-3605(LDW)

**STIPULATION OF DISMISSAL OF  
COUNTERCLAIMS WITH  
PREJUDICE**

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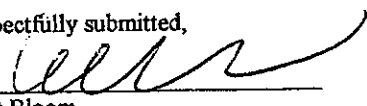
631-587-6307

p.1

**STIPULATION OF DISMISSAL OF COUNTERCLAIMS WITH PREJUDICE**

Defendants WALTER KIERNAN, individually, SERAFINA KIERNAN, individually, WALTER KIERNAN AND SERAFINA KIERNAN D/B/A WWW.IMPURSENATOR.COM D/B/A IMPURSENATOR HANDBAGS ("Defendants") hereby enter into this stipulation dismissing their Counterclaims in this case pursuant to Fed. R. Civ. P. 41(a)(1)(ii). The dismissal is with prejudice, and includes dismissal of the claims of Defendants against HERMÈS INTERNATIONAL, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION FRANCE, a corporation organized under the laws of France, HERMÈS SELLIER, a corporation organized under the laws of France, HERMÈS OF PARIS, INC., a corporation organized under the laws of New York, and all agents, attorneys and employees of such entities (collectively "Plaintiffs"). A form of order dismissing the case is attached as Exhibit A.

Dated: September 24, 2006 Respectfully submitted,

By:   
Eliot Bloom  
Law Offices of Eliot Bloom  
114 Old Country Road, Suite 308  
Mineola, NY 11501  
efbesq@optonline.net

Attorney for Walter Kiernan, Individually,  
Serafina Kiernan, Individually,  
Walter Kiernan and Serafina Kiernan  
d/b/a www.impursenator.com d/b/a Impursenator Handbags

Dated: September 25, 2006

Respectfully submitted,

By:  

Harley I. Lewin (HL 1819)  
Scott Gelin (SG 9599)  
Amina Matlon (AM 2852)  
GREENBERG TRAURIG, LLP  
200 Park Avenue, 34<sup>th</sup> Floor  
MetLife Building  
New York, New York 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400

Katherine Compton  
GREENBERG TRAURIG, LLP  
2200 Ross Avenue  
Suite 5200  
Dallas, Texas 75201  
Telephone: (214) 665-3660  
Facsimile: (214) 665-5960  
*Admitted Pro Hac Vice*

***Attorneys for Plaintiffs Hermès  
International, Hermès  
International Corporation,  
Hermès International  
Corporation France, Hermès  
Sellier and Hermès of Paris, Inc.***

**CERTIFICATE OF SERVICE**

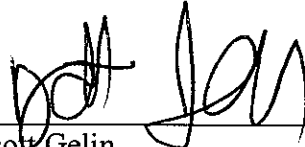
The undersigned certifies that a copy of the foregoing instrument was served upon the counsel of record set forth below in accordance with Rule 5, Federal Rules of Civil Procedure and the Court's Local Rules 5.3 and 6.1:

Eliot Bloom  
LAW OFFICES OF ELLIOT BLOOM  
114 Old Country Road , Suite 308  
Mineola, NY 11501  
efbesq@optonline.net

*Attorney For Walter Kiernan, Individually,  
Serafina Kiernan, Individually,  
Walter Kiernan and Serafina Kiernan  
d/b/a [www.Impursenator.com](http://www.Impursenator.com) d/b/a  
Impursenator Handbags*

Gary N. Lento  
BAKER, MANOCK & JENSEN  
Fig Garden Financial Center  
5260 N. Palm Avenue, Suite 421  
Fourth Floor  
Fresno, CA 93704-2209  
GNL@bmj-law.com

*Attorney For Jane Doe No. 1 identified as  
Dinese Kestly a/k/a Denise Kensley  
a/k/a Dinese Kensely, individually, and  
Dinese Kestly a/k/a Denise Kensley a/k/a  
Dinese Kensely d/b/a  
[www.orientsourcing.com](http://www.orientsourcing.com) d/b/a Sacks In the  
City and XYZ Corporation identified as  
Purspectives, LLC.*

  
\_\_\_\_\_  
Scott Gelin

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

HERMÈS INTERNATIONAL, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION FRANCE, a corporation organized under the laws of France, HERMÈS SELLIER, a corporation organized under the laws of France, HERMÈS OF PARIS, INC., a corporation organized under the laws of New York

Plaintiffs,

vs.

WALTER KIERNAN, individually,  
SERAFINA KIERNAN, individually,  
WALTER KIERNAN AND SERAFINA  
KIERNAN D/B/A  
WWW.IMPURSEATOR.COM D/B/A  
IMPURSEATOR HANDBAGS, DINESE  
KESTLY A/K/A DENISE KENSLEY,  
A/K/A DINESE KENSELY, individually and  
DINESE KESTLY A/K/A DENISE  
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D/B/A SACKS IN THE CITY and  
PURSESPECTIVES, LLC various JOHN and  
JANE DOES 2-10 and XYZ COMPANIES 2-  
10 (UNIDENTIFIED),

Defendants.

CASE NO. CV-06-3605(LDW)

**STIPULATION OF DISMISSAL OF  
COUNTERCLAIMS WITH  
PREJUDICE**

**ORDER DISMISSING COUNTERCLAIMS WITH PREJUDICE**

The Court having been advised that that the parties entered into a Stipulation of Dismissal of Counterclaims with Prejudice,

IT IS THEREFORE ORDERED, that all counterclaims by WALTER KIERNAN, individually, SERAFINA KIERNAN, individually, WALTER KIERNAN AND SERAFINA KIERNAN D/B/A WWW.IMPURSENATOR.COM D/B/A (“Defendants”) against HERMÈS INTERNATIONAL, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION FRANCE, a corporation organized under the laws of France, HERMÈS SELLIER, a corporation organized under the laws of France, HERMÈS OF PARIS, INC., a corporation organized under the laws of New York, and all agents, attorneys and employees of such entities (collectively “Plaintiffs”) are hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(ii).

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HONORABLE JUDGE LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE